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Approved: _____

DOUGLAS S. ZOLKIND

Assistant United States Attorney

Before: THE HONORABLE LISA MARGARET SMITH
United States Magistrate Judge
Southern District of New York

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UNITED STATES OF AMERICA	:	<u>SEALED COMPLAINT</u>
- v. -	:	Violation of
	:	18 U.S.C. § 875(c)
JEREMY MOTT,	:	
Defendant.	:	COUNTY OF OFFENSE:
	:	WESTCHESTER

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SOUTHERN DISTRICT OF NEW YORK, ss.:

EDWARD J. MURPHY, being duly sworn, deposes and says that he is an officer with the Violent Crimes Task Force of the Federal Bureau of Investigation ("FBI"), and charges as follows:

COUNT ONE

In or about December 2014, in the Southern District of New York, JEREMY MOTT, the defendant, knowingly did transmit in interstate and foreign commerce a communication containing a threat to injure the person of another, to wit, MOTT posted messages on Facebook and Instagram threatening to injure and kill members of the Police Department of the City of Mount Vernon, New York ("MVPD").

(Title 18, United States Code, Section 875(c).)

1. I am an officer with the Violent Crimes Task Force of the FBI, based in White Plains, New York. I have been personally involved in the investigation of this matter. This affidavit is based upon my conversations with other law enforcement officers and agents and my examination of documents, reports and other records. Because this affidavit is being submitted for the limited purpose of establishing probable

cause, it does not include all of the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

2. In or about December 2014, I received an Officer Safety Alert issued by the MVPD through the Westchester Intelligence Center (the "Alert"). The Alert stated that MOTT "has made threats via social media toward members of the MVPD" and the Alert warned officers to "exercise extreme caution when encountering the above individual."

3. The Alert included screenshots of messages posted to the Internet social media services Facebook and Instagram. One message was posted to Facebook and one message was posted to Instagram. I have reviewed digital images of these screenshots and observed the following:

a. The Instagram message was posted on December 24, 2014 at 10:48 AM. It was posted by a user whose account is registered in the name "muchbetter_mott." The message says, "THEY BETTER KEEP THAT CRAZY SHYT AWAY FROM MOUNT VERNON CAUSE ME & MY NIGGAS NOT PLAYING NO GAMES WITH THEM PPL ! !" The message includes a photograph of an individual discharging a firearm into a police vehicle through the driver's side window. The message also includes a graphical depiction of a firearm pointing at a graphical depiction of a police officer's head.

b. The Facebook message was posted on December 24, 2014 at 10:51 AM. It was posted by a user whose account is registered in the name "Jeremy Mott." The message says, "I SWEAR IF THE COPS IN MOUNT VERNON THINK THEY CAN FOLLOW THE MADNESS THIS IS HOW THEY GOING TO END UP." The message includes the same photograph referenced above of an individual discharging a firearm into a police vehicle through the driver's side window.

5. There is probable cause to believe that MOTT posted the two messages described above, for the following reasons:

a. I am familiar with MOTT's physical appearance from law enforcement records. I have accessed the Twitter website associated with the account registered in the

name "@MUCHBETTER_MOTT."¹ The Twitter website of @MUCHBETTER_MOTT includes numerous photographs of a person whom I have identified as MOTT based on law enforcement records.

b. The Instagram message referenced above was posted by an account registered in the name "muchbetter_mott," which is almost identical to the registered name of the Twitter account (@MUCHBETTER_MOTT) that includes multiple photographs of MOTT. In addition, the Instagram account of "muchbetter_mott" includes a profile photograph that appears to be a photograph of MOTT.

c. I have spoken with law enforcement officers with the Westchester Intelligence Center, who have informed me that the Twitter account registered in the name "@MUCHBETTER_MOTT" previously linked to the Facebook account registered in the name "Jeremy Mott" and to the Instagram account registered in the name "muchbetter_mott."

d. The Facebook account "Jeremy Mott" and the Instagram account "muchbetter_mott" both posted the same photograph, with similar threats against the MVPD, within a short period of time on December 24, 2014. It is therefore probable that both accounts were controlled by MOTT.

6. I have conducted a search of law enforcement databases for the name "Jeremy Mott." The search confirmed that a 24-year-old male with that name resides at 304 S. 5th Ave., Mount Vernon, NY 10550.

7. I have spoken with an FBI intelligence analyst who has significant experience in criminal cases involving Internet social media services. He has reviewed information regarding Facebook and informs me that Facebook's computer servers are located outside the state of New York.

¹This page is publicly available at https://twitter.com/muchbetter_mott.

WHEREFORE, deponent respectfully requests that a warrant issue for the arrest of JEREMY MOTT, the defendant, and that he be arrested and imprisoned, or bailed, as the case may be.



EDWARD MURPHY
Task Force Officer
Federal Bureau of Investigation,
Violent Crimes Task Force

Sworn to before me this
5th day of January, 2015



THE HONORABLE LISA MARGARET SMITH
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK